

**SAXENA WHITE P.A.**

November 5, 2012

VIA FAX (212) 805-7949

The Honorable P. Kevin Castel  
 Daniel Patrick Moynihan United States Courthouse  
 500 Pearl Street  
 New York, NY 1007-1312

USDS SDNY

DOCUMENT

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**KAHN SWICK & FOTI, LLC**

*Application granted -  
 SO ORDERED  
 [Signature]  
 USDS  
 11-5-12*

**MEMO ENDORSED**

Re: *In re Bank of America Corp. Securities, Derivative and ERISA Litigation*  
 Master File No. 09-MDL-2058 (PKC)  
This document relates to all Derivative Actions

Dear Judge Castel:

We are Court-appointed interim Co-Lead Counsel in the Consolidated Derivative Action, representing Louisiana Municipal Police Employees Retirement System and Hollywood Police Officers' Retirement System. As Your Honor is aware, pursuant to the Court's July 13, 2012 Order Setting Schedule and Preliminarily Approving the Proposed Settlement of the Consolidated Derivative Action, Plaintiffs' Motion for Final Approval of the Proposed Settlement is due to be filed shortly. [We were delayed in sending this request due to the Court's closure caused by Hurricane Sandy and write to request an enlargement in the page limits applicable to the motion—from twenty-five (25) pages to fifty (50) pages.] The reason for our request is that the Settlement is complex, including a number of corporate governance initiatives, and a complete description of the Settlement terms and reasons for final approval requires a lengthier and more substantial discussion than would otherwise be the case. We have communicated with defendants, and they do not oppose this request.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Joseph E. White, III

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*Interim Co-Lead Counsel for Derivative Plaintiffs*

cc: All counsel (via simultaneous email)